



March 1, 2007

ENGROSSED SENATE BILL No. 30

DIGEST OF SB 30 (Updated February 28, 2007 10:23 am - DI 109)

Citations Affected: IC 20-47.

Synopsis: Education foundations. Provides that until June 30, 2012, the governing body of a school corporation may donate up to \$25,000 per year from the general fund of the school corporation to a public school endowment corporation for the future use of the school corporation for programs and activities that enhance the quality of education or extend learning opportunities for students of the school corporation. Requires matching private funds on at least a dollar for dollar basis for each dollar contributed by a school corporation.

Effective: July 1, 2007.

Waltz

(HOUSE SPONSOR — PORTER)

January 8, 2007, read first time and referred to Committee on Education and Career Development.

January 11, 2007, reported favorably — Do Pass.

January 16, 2007, read second time, amended, ordered engrossed.

January 17, 2007, engrossed.

January 22, 2007, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

February 26, 2007, read first time and referred to Committee on Education.

February 28, 2007, reported — Do Pass.

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ES 30—LS 6210/DI 113+



March 1, 2007

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 30

A BILL FOR AN ACT to amend the Indiana Code concerning education finance.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-47-1-6 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2007]: **Sec. 6. (a) The governing body of a school corporation**
4 **may annually donate an amount not to exceed twenty-five**
5 **thousand dollars (\$25,000) from the general fund of the school**
6 **corporation to a public school endowment corporation under the**
7 **following conditions:**

8 **(1) For every dollar that the school corporation donates to the**
9 **public school endowment corporation, a private individual or**
10 **entity must donate at least one dollar (\$1) to the public school**
11 **endowment corporation:**

12 **(A) for the benefit of the school corporation; and**

13 **(B) for the purposes designated by the school corporation**
14 **for the school corporation's donation.**

15 **(2) The public school endowment corporation retains all**
16 **rights to the donation, including investment powers, except as**
17 **provided in subdivision (3).**

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(3) The public school endowment corporation agrees to do the following:

(A) Distribute the principal and income from the donation only to the school corporation as directed by resolution of the governing body of the school corporation.

(B) Return the donation to the general fund of the school corporation if the public school endowment corporation:

(i) ceases to operate as a public school endowment corporation;

(ii) is liquidated; or

(iii) violates any condition of the endowment set by the governing body of the school corporation.

(C) Open the books of the public school endowment corporation for examination at the request of the state board of accounts to the extent necessary for the state board of accounts to determine the manner in which the school corporation's donation and any matching donations have been held or distributed.

(b) A school corporation may use distributions from a public school endowment corporation received under a resolution referred to in subsection (a)(3)(A) only for programs and activities that:

(1) enhance the quality of education; or

(2) extend learning opportunities;

for students of the school corporation.

(c) This section expires June 30, 2012.

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COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill No. 30, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 30 as introduced.)

LUBBERS, Chairperson

Committee Vote: Yeas 9, Nays 0.

SENATE MOTION

Madam President: I move that Senate Bill 30 be amended to read as follows:

Page 2, after line 12, begin a new paragraph and insert:

"(c) This section expires June 30, 2012."

(Reference is to SB 30 as printed January 12, 2007.)

KENLEY

SENATE MOTION

Madam President: I move that Senate Bill 30 be amended to read as follows:

Page 1, between lines 7 and 8, begin a new line block indented and insert:

"(1) For every dollar that the school corporation donates to the public school endowment corporation, a private individual or entity must donate at least one dollar (\$1) to the public school endowment corporation:

(A) for the benefit of the school corporation; and

(B) for the purposes designated by the school corporation for the school corporation's donation."

Page 1, line 8, delete "(1)" and insert "(2)".

Page 1, line 10, delete "(2)" and insert "(3)".

Page 1, line 11, delete "(2)" and insert "(3)".

Page 2, between lines 5 and 6, begin a new line double block indented and insert:

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"(C) Open the books of the public school endowment corporation for examination at the request of the state board of accounts to the extent necessary for the state board of accounts to determine the manner in which the school corporation's donation and any matching donations have been held or distributed."

Page 2, line 8, delete "(a)(2)(A)" and insert "(a)(3)(A)".

(Reference is to SB 30 as printed January 12, 2007.)

WALTZ

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 30, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

PORTER, Chair

Committee Vote: yeas 10, nays 0.

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